

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

In re: Application of) TTAB Paralegal Specialist:
) Monique Tyson
DELVAUX DESIGN COORDINATION &)
FINANCE)
)
Serial No. 79/121,759) Examining Attorney:
) James MacFarlane
For the Mark: D And Design) Law Office: 104
)
Filed: September 21, 2012)

**REQUEST FOR FURTHER SIXTY (60) DAY EXTENSION OF TIME FOR
FILING OF APPLICANT'S APPEAL BRIEF IN PART BASED UPON
FURTHER EFFORTS TO RESOLVE WITH THE EXAMINER AN ACCEPTABLE
RESOLUTION OF THE MATTER AND TO PERMIT TIME FOR THE
FURTHER RECEIPT OF INSTRUCTIONS FROM THE CLIENT**

The Applicant by and through its legal counsel, Burton S. Ehrlich of Ladas & Parry LLP, hereby requests a sixty (60) day extension for the filing of the Applicant's brief to allow for the Applicant to potentially moot the need for this appeal by fully resolving this matter at the Examiner level and for additional time for consulting with the client for the Applicant. In support of this Motion the Applicant submits as follows:

The Applicant previously requested reconsideration of the rejection of registrability in a paper filed with the Trademark Attorney Examiner. When the request for reconsideration was denied the Board subsequently set the briefing schedule of sixty (60) days for the filing of the Applicant's brief.

The Applicant's counsel believes that there still may be a basis for resolving this matter with an amendment or submissions at the Examiner level. The Applicant is in the process of seeking further instructions and clarifications from his client on pursuing a potential follow-up action and communication, so as to seek to resolve this matter at the Examiner level and by consultations with the Examiner. Based upon the current understanding of the situation it is believed that a reasonable and acceptable resolution may still exist to fully resolve issues in this application. In part, additional time is needed for the consideration of such a resolution with the gathering of further information and instructions, which if resolved in this manner could moot the appeal. The additional time would include time for consulting with the client and with the Examiner in seeking a potential resolution.

Furthermore, additional time would also be necessary for consulting with the principals for the client on the potential appeal brief, should that become necessary.

Furthermore, this revised briefing schedule will also accommodate the busy schedule of the Applicant's counsel and his principals for the client. During the time period Applicant's counsel was extremely busy with a Federal Court post trial briefs and activities and on other matters

pertaining to discovery in other Federal Court cases and TTAB matters, urgent settlement matters on a District Court case including a settlement Court conference, as well as efforts in other Federal Court cases, as well as TTAB adversarial matters, and other matters with time sensitive deadlines involving both foreign and domestic intellectual property law related matters for a number of clients. Also, personal issues impeded the ability of applicant's counsel within the last sixty (60) days with applicant's counsel having had both his mother-in-law and father pass away. This extension will allow for counsel to consult and prepare any necessary papers.

Based upon the foregoing, it is respectfully requested that the due date for the brief be reset for sixty (60) days with the Applicant's brief under this extension becoming due on January 15, 2016.

Burton S. Ehrlich
Ladas & Parry
224 South Michigan Avenue
Chicago, IL 60604
(312) 427-1300

Respectfully submitted,



Burton S. Ehrlich
Attorney for Applicant

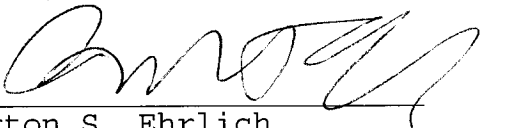
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to ATTN: TTAB - NO FEE, Assistant Commissioner for Trademarks, U.S. Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451, on November 6, 2015.


Burton S. Ehrlich

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing REQUEST FOR FURTHER SIXTY (60) DAY EXTENSION OF TIME FOR FILING OF APPLICANT'S APPEAL BRIEF IN PART BASED UPON FURTHER EFFORTS TO RESOLVE WITH THE EXAMINER AN ACCEPTABLE RESOLUTION OF THE MATTER AND TO PERMIT TIME FOR THE FURTHER RECEIPT OF INSTRUCTIONS FROM THE CLIENT is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: James MacFarlane, Law Office 104, Commissioner for Trademarks, U.S. Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451, on November 6, 2015.


Burton S. Ehrlich

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

In re: Application of) TTAB Paralegal Specialist:
) Monique Tyson
DELVAUX DESIGN COORDINATION &)
FINANCE)
)
Serial No. 79/121,759) Examining Attorney:
) James MacFarlane
For the Mark: D And Design) Law Office: 104
)
Filed: September 21, 2012)

**REQUEST FOR FURTHER SIXTY (60) DAY EXTENSION OF TIME FOR
FILING OF APPLICANT'S APPEAL BRIEF IN PART BASED UPON
FURTHER EFFORTS TO RESOLVE WITH THE EXAMINER AN ACCEPTABLE
RESOLUTION OF THE MATTER AND TO PERMIT TIME FOR THE
FURTHER RECEIPT OF INSTRUCTIONS FROM THE CLIENT**

The Applicant by and through its legal counsel, Burton S. Ehrlich of Ladas & Parry LLP, hereby requests a sixty (60) day extension for the filing of the Applicant's brief to allow for the Applicant to potentially moot the need for this appeal by fully resolving this matter at the Examiner level and for additional time for consulting with the client for the Applicant. In support of this Motion the Applicant submits as follows:

The Applicant previously requested reconsideration of the rejection of registrability in a paper filed with the Trademark Attorney Examiner. When the request for reconsideration was denied the Board subsequently set the briefing schedule of sixty (60) days for the filing of the Applicant's brief.

The Applicant's counsel believes that there still may be a basis for resolving this matter with an amendment or submissions at the Examiner level. The Applicant is in the process of seeking further instructions and clarifications from his client on pursuing a potential follow-up action and communication, so as to seek to resolve this matter at the Examiner level and by consultations with the Examiner. Based upon the current understanding of the situation it is believed that a reasonable and acceptable resolution may still exist to fully resolve issues in this application. In part, additional time is needed for the consideration of such a resolution with the gathering of further information and instructions, which if resolved in this manner could moot the appeal. The additional time would include time for consulting with the client and with the Examiner in seeking a potential resolution.

Furthermore, additional time would also be necessary for consulting with the principals for the client on the potential appeal brief, should that become necessary.

Furthermore, this revised briefing schedule will also accommodate the busy schedule of the Applicant's counsel and his principals for the client. During the time period Applicant's counsel was extremely busy with a Federal Court post trial briefs and activities and on other matters

pertaining to discovery in other Federal Court cases and TTAB matters, urgent settlement matters on a District Court case including a settlement Court conference, as well as efforts in other Federal Court cases, as well as TTAB adversarial matters, and other matters with time sensitive deadlines involving both foreign and domestic intellectual property law related matters for a number of clients. Also, personal issues impeded the ability of applicant's counsel within the last sixty (60) days with applicant's counsel having had both his mother-in-law and father pass away. This extension will allow for counsel to consult and prepare any necessary papers.

Based upon the foregoing, it is respectfully requested that the due date for the brief be reset for sixty (60) days with the Applicant's brief under this extension becoming due on January 15, 2016.

Burton S. Ehrlich
Ladas & Parry
224 South Michigan Avenue
Chicago, IL 60604
(312) 427-1300


Respectfully submitted,



Burton S. Ehrlich
Attorney for Applicant


CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to ATTN: TTAB - NO FEE, Assistant Commissioner for Trademarks, U.S. Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451, on November 6, 2015.


Burton S. Ehrlich

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing REQUEST FOR FURTHER SIXTY (60) DAY EXTENSION OF TIME FOR FILING OF APPLICANT'S APPEAL BRIEF IN PART BASED UPON FURTHER EFFORTS TO RESOLVE WITH THE EXAMINER AN ACCEPTABLE RESOLUTION OF THE MATTER AND TO PERMIT TIME FOR THE FURTHER RECEIPT OF INSTRUCTIONS FROM THE CLIENT is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: James MacFarlane, Law Office 104, Commissioner for Trademarks, U.S. Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451, on November 6, 2015.


Burton S. Ehrlich